

MEMO ENDORSED

**LAW FIRM OF
KIM, CHOI & KIM, P. C.**
ATTORNEYS AT LAW

SUNG MIN KIM†*
HYONG JUN CHOI *
DONG SUNG KIM†*

New Jersey Office
460 Bergen Blvd., Suite 206
Palisades Park, NJ 07650
Tel) 201-363-0010
Fax) 201-363-0018

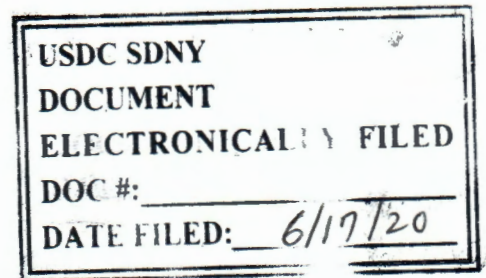
New York Office
154-05 Northern Blvd., Suite 301
Flushing, NY 11354
Tel) 917-669-7970
kimchoikim@gmail.com

† Admitted to NJ Bar
* Admitted to NY Bar

PLEASE REPLY TO NJ OFFICE

June 16, 2020

The Chambers of Honorable Louis L. Stanton
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St.
New York, NY 10007-1312



RE: Windward Bora, LLC. v. Yoo Mi Min, et al.
Docket No.: 1:20-cv-01133-LLS

Dear Judge Stanton:

Please be advised that this firm represents Yoo Mi Min and Ji Y Min (the "defendant") in this foreclosure action.

On June 11, 2016, the Court made a letter order as duplicated hereunder (Docket #31):

Please brief the issue whether, if plaintiff Windward Bora LLC has sold to a non-party outsider all its interest in the mortgage, there remains between the parties in this case a justifiable controversy for summary judgment.

There is a procedure for substitution of parties. See Fed. R. Civ. P. 25(c).

I apologize but I am having trouble fully understanding your order. Rule 25(c) permits automatic continuance of a law suit against an original party. *In re Chalasani*, 92 F.3d 1300 (2d Cir. 1996); *Luxliner P.L. Export, Co. v. RDI/Luxliner, Inc.*, 13 F.3d 69 (3d Cir. 1993).

Kindly please advise whether the Court is ordering the defendant to brief ^{whether} ~~why~~ the pending motion for the summary judgment between the plaintiff and the defendant ~~should~~ ^{can} be continued when the plaintiff transferred its interest in the mortgage.

Respectfully submitted,

Thank you for your kindly attention,

There is no justiciable controversy if one of the parties has no legal interest in the outcome.

*LLS
6/17/20*

Very truly yours,

/S/ Dong Sung Kim
Dong Sung Kim, Esq.
Kim, Choi, & Kim, P.C.
Counsels for the defendant

cc: Alan Smikun, Esq.
David M. Namm, Esq.
via Ecf only